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Acting under Authority Conferred by 28 U.S.C. § 515

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 18-CR-00465 MMC
Plaintiff,)	
v.)	JOINT STIPULATION AMENDING
)	PROTECTIVE ORDER
)	
)	AND
FUJIAN JINHUA INTEGRATED CIRCUIT)	
CO., LTD,)	[PROPOSED] ORDER
Defendant.)	

Pursuant to Paragraph 7(b) of the Protective Order (ECF 79) (the “Protective Order”), the United States and defendant Fujian Jinhua Integrated Circuit Co. Ltd. (“Jinhua”) jointly request a temporary

modification of the restrictions on transporting materials designated as Confidential Materials to Defense Counsel's offices. The Protective Order allows a Receiving Party to transport Confidential Materials to Hong Kong, Taiwan, Japan, and Singapore. The Receiving Party, however, "may not transmit them electronically to or through any country other than the United States." Protective Order ¶ 7(b). This provision, therefore, requires that Defense Counsel physically transport secured copies of Confidential Materials to their offices in Asia for representatives from Jinhua to review the documents.

The parties have agreed that, to facilitate Jinhua's review of the admitted trial exhibits and to allow the parties to diligently work on the enormous project of reviewing the hundreds of admitted exhibits to determine whether any redactions are needed, a temporary modification of the Protective Order is appropriate to allow Jinhua to review electronic versions of the admitted exhibits.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Jinhua and the United States, that the Protective Order in this case should be temporarily modified such that certain admitted exhibits can be transmitted via Secure FTP to King & Wood Mallesons in China, and reviewed as follows:

- Counsel for Jinhua, Skadden, Arps, Slate, Meagher & Flom, LLP, will put on its secure FTP all admitted exhibits *except* the following exhibits:

D3049	P0089	P0482T	P0919	P1202
D3059	P0109	P0484	P0969	P1203
D3059T	P0117	P0494	P0985	P1204
D3061	P0120	P0502	P1006	P1205
D3066	P0121	P0533	P1009	P1206
D3070	P0131	P0543	P1009T	P1207
D3163	P0140	P0555	P1021	P1208
D3361	P0142	P0555T	P1021T	P1320
D4668	P0154	P0561	P1022	P1320T
D4867	P0167	P0570 Amended	P1022T	P1439
	P0177	P0570T Amended	P1039 Amended	P1456
P0002	P0187	P0707	P1039T Amended	P1459
P0005	P0433	P0707T	P1046	P1461
P0008	P0434	P0720-Attachment01	P1046T	P1473
P0010	P0435	P0734	P1073	P1474
P0023	P0448	P0734T	P1192	P1475
P0036	P0450	P0736	P1195	P1476
P0040	P0468	P0736T	P1196	P1479
P0047	P0474	P0834 Amended	P1197	P1488
P0048	P0476	P0855	P1198	P1502
P0063	P0479	P0857	P1199	P1505
P0074	P0481	P0890	P1200	P1509
P0085	P0482	P0912	P1201	P1510

- The FTP will be “read only”—Jinhua would have no ability to print or download the exhibits.
- The login for the FTP will be provided to lawyers at King & Wood Mallesons, which is also counsel of record in this case.
- Lawyers from King & Wood Mallesons will review the exhibits with Jinhua in a King & Wood Mallesons’ office in mainland China.
- The lawyers and Jinhua may take notes on what to redact in the documents but should not otherwise take notes on the substance of the exhibits.
- Access to the FTP site should expire 45 days after this stipulation is entered by the Court.

For the admitted exhibits listed above, the United States will either (1) provide Jinhua with a redacted copy of each exhibit or (2) state that an entire exhibit should be filed under seal. Jinhua may use and review any redacted exhibit provided by the United States without limitation.

SO STIPULATED AND AGREED.

Dated: May 10, 2024

Respectfully Submitted,

/s/ Emily A. Reitmeier

JACK P. DICANIO

MATTHEW E. SLOAN

EMILY A. REITMEIER

Attorneys for Defendant

Fujian Jinhua Integrated Circuit Co. Ltd.

MARTHA BOERSCH (CABN 126569)

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/s/ Nicholas Walsh

NICHOLAS WALSH

LAURA VARTAIN HORN

Assistant United States Attorneys

NICHOLAS O. HUNTER

STEPHEN J. MARZEN

Trial Attorneys, National Security Division

[PROPOSED] ORDER

For good cause shown, the Court HEREBY ORDERS that the Protective Order in this case (ECF 79) is modified such that certain admitted trial exhibits can be temporarily transmitted via Secure FTP to King & Wood Mallesons in China, and reviewed as follows:

- Counsel for Jinhua, Skadden, Arps, Slate, Meagher & Flom, LLP, may put on its secure FTP all admitted exhibits *except* the following exhibits:

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For the admitted exhibits listed above, the United States shall either (1) provide Jinhua with a redacted copy of each exhibit or (2) state that an entire exhibit should be filed under seal. Jinhua may use

1 and review any redacted exhibit provided by the United States without limitation.

2 Access to the FTP site shall expire 45 days after the date of this Order.

3 IT IS SO ORDERED.

4
5 DATED: May _____, 2024

6 _____
7 THE HONORABLE MAXINE M. CHESNEY
8 UNITED STATES SENIOR DISTRICT JUDGE
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